

**ASSEMBLY BILL**

**No. 2236**

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**Introduced by Assembly Member Monning**

February 18, 2010

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An act to add Section 2923.2 to the Civil Code, relating to mortgages.

LEGISLATIVE COUNSEL'S DIGEST

AB 2236, as introduced, Monning. Mortgages: notices to the borrower.

Existing state and federal laws govern the rights and obligations of borrowers and mortgagees, trustees, and beneficiaries with respect to loans secured by residential real property. Federal law also establishes a specified home loan modification program.

This bill would require a mortgagee, trustee, or beneficiary, or an authorized agent of that person, to include on all notices informing a borrower that he or she has either failed to make a required minimum payment or failed to make a payment when due, the name and the contact information, including the address and telephone number, of the mortgagee, trustee, beneficiary, or authorized agent who has the authority pursuant to state and federal law to modify the terms and conditions of the borrower's loan.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 2923.2 is added to the Civil Code, to  
2     read:

1     2923.2. A mortgagee, trustee, or beneficiary, or an authorized  
2 agent of that person, shall include on all notices informing a  
3 borrower that he or she has either failed to make a required  
4 minimum payment or failed to make a payment when due, the  
5 name and the contact information, including the address and  
6 telephone number, of the mortgagee, trustee, beneficiary, or  
7 authorized agent who has the authority pursuant to state and federal  
8 law to modify the terms and conditions of the borrower's loan.